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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 LAURA ZAMORA JORDAN, as her
8 separate estate, and on behalf of others
9 similarly situated,

10 Plaintiff,

11 v.

12 NATIONSTAR MORTGAGE, LLC, a
13 Delaware limited liability company,

14 Defendant.

15 NO: 2:14-CV-0175-TOR

16 ORDER GRANTING IN PART
17 NATIONSTAR'S MOTION FOR
18 PARTIAL SUMMARY JUDGMENT

19 BEFORE THE COURT is Nationstar's Motion for Partial Summary

20 Judgment (ECF No. 45). This matter, among others, was heard with oral argument
on July 30, 2015. Clay M. Gatens appeared on behalf of Plaintiff and others
similarly situated. Jan T. Chilton and John A. Knox appeared on behalf of

21 Defendant.

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25 ORDER GRANTING IN PART NATIONSTAR'S MOTION FOR PARTIAL
26 SUMMARY JUDGMENT ~ 1

1 Nationstar moves for summary judgment on Plaintiff's individual Fair Debt
2 Collection Practices Act ("FDCPA") claim. ECF No. 45 at 23-24.

3 Plaintiff concedes, in light of Nationstar's representation that it obtained
4 Plaintiff's loan prior to default, that summary judgment should be entered on this
5 claim. ECF No. 57 at 19; *see De Dios v. Int'l Realty & Invs.*, 641 F.3d 1071, 1074
6 (9th Cir. 2011) (explaining that "debt collector" under the FDCPA excludes "any
7 person collecting or attempting to collect any debt owed or due . . . to the extent
8 such activity . . . concerns a debt which was not in default *at the time it was*
9 *obtained* by such person") (emphasis in original).

10 Accordingly, Nationstar's Motion for Partial Summary Judgment (ECF No.
11 45) is **GRANTED in part**. Plaintiff's individual FDCPA claim is **DISMISSED**.

12 **ACCORDINGLY, IT IS ORDERED:**

13 Nationstar's Motion for Partial Summary Judgment (ECF No. 45) is
14 **GRANTED in part**. Plaintiff's individual FDCPA claim is **DISMISSED**.

15 The District Court Executive is directed to enter this Order and provide
16 copies to counsel.

17 **DATED** August 10, 2015



18 A handwritten signature in blue ink that reads "Thomas O. Rice".
19 THOMAS O. RICE
20 United States District Judge